

Report Date: March 2, 2006

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

MAR 06 2006

Eastern District of WashingtonJAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Dean Alan Boettcher

Case Number: 2:01CR00109-001

Address of Offender: Spokane County Jail, Spokane, Washington

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, U.S. District Judge

Date of Original Sentence: 06/12/2002

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1); Conspiracy to Commit Bank Fraud, 18 U.S.C. § 371, 1344

Original Sentence: Prison - 46 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hopkins

Date Supervision Commenced: 03/13/2005

Defense Attorney: Richard D. Wall

Date Supervision Expires: 03/12/2008

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 2/27/2006.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

4

Mandatory Condition # 4: The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Supporting Evidence: Dean Boettcher violated conditions of supervised release by consuming Morphine and Oxycodone on or about October 18, 2005.

On October 18, 2005, U.S. Probation received notice that Dean Boettcher submitted a urine specimen that was presumptive positive for Morphine and Oxycodone. On October 31, 2005, the undersigned officer contacted Dean Boettcher to address the controlled substance use as reported. At that time, he denied consuming illicit drugs and advised that he did not have an explanation as to why his sample was positive for the aforementioned narcotics. The offender agreed to follow-up with his physician and apprise the undersigned officer immediately. Meanwhile, the undersigned officer checked with a scientist at Scientific Laboratories and confirmed that Heroin use was unlikely given the amount of Morphine in the specimen.

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Dean Boettcher eventually submitted a letter relative to an emergency hospital visit in August 2005. The offender also prepared and attached a hand-written note explaining that the Oxycodone positive specimen may have occurred due to his continued use of Oxycodone which was obtained at the August 2005 hospital visit. It is noted that documentation did not allude to Morphine being prescribed or administered during the aforementioned emergency room visit.

On March 1, 2006, during a telephone conversation with the offender, he admitted consuming Methamphetamine, Heroin and Oxycodone while under supervision.

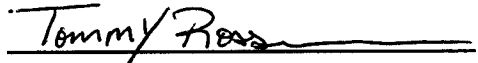
- 5 **Standard Condition # 7:** The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

Supporting Evidence: Dean Boettcher violated conditions of supervised when he consumed Morphine and Oxycodone, without a prescription from his physician, on or about October 18, 2005. In addition, a syringe containing methamphetamine, and scales, commonly used to distribute illicit drugs, were found in the offender's residence on February 23, 2006.

It is respectfully recommended that the Court incorporate the violations contained in this petition in all future proceedings with the violations previously reported to the Court.

Respectfully submitted,

by



Tommy Rosser
U.S. Probation Officer

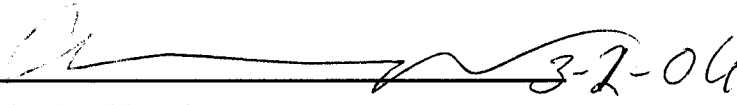
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Sworn to before me, and subscribed at Spokane, Washington



U. S. Magistrate Judge Cynthia Imbrogno Date 3-2-06

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other



Signature of Judicial Officer

March 3, 2006

Date